

*The Necessity and Usefullness of Laws
and the Excellency of our Own.*

A ✓
S E R M O N
Preach'd at
N O R T H A M P T O N
B E F O R E

Mr Justice P O W E L L

A N D

Mr Baron L O V E L

A T T H E

Affizes held there *July* the 13th 1708.

By HENRY DOWNES M. A. Rector of *Brington* and
Siwell in *Northamptonshire*, and Chaplain to the Right Ho-
nourable the Earl of SUNDERLAND.

Publsh'd at the Request of the *High-Sheriff* and
the *Gentlemen* of the *Grand-jury*.

O X F O R D, ⊕

Printed at the T H E A T E R for *Anth. Peisley*, and are to be sold
by *Dan. Midwinter* at the three Crowns in *S^t Paul's Church-*
yard London, 1708.

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and the Excellency of our Ours.

S E R M O N

Imprimatur,

A. R. CHARLETT

July 30. 1708.



By HENRY DOWNE, B.A. Rector of Abington and
Dean of Northampton, to the right Ho-
nourable the Earl of ...
Published at the Request of the High-Scholars and
the Gentlemen of the University.

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Printed at the Theatre for Amb. Press, and are to be sold
by Dan. Ainsworth at the three Crowns in St. Paul's Church-
yard London. 1708.

THE RIGHT WORSHIPPFULL
ELMES SPINKES Esq;

HIGH-SHERIFF

Of the County of

NORTHAMPTON:

AND TO

Sir Robert Heslridge Bar.	Richard Kynnesman Esq;
Sir Erasmus Norwich Bar.	George Lynn Esq;
Sir John Humbles Bar.	Joseph Ashley Esq;
Sir James Robinson Bar.	Thomas Jennings Esq;
Toby Chauncey Esq;	Mr Edward Cuthbert
Charles Howe Esq;	Mr Samuel Taylor
John Parkhurst Esq;	Mr Peter Whaley
Gerard Gore Esq;	Mr Christopher Rigby.
William Ward Esq;	Mr John Beauchamp,
Elmes Steward Esq;	

GENTLEMEN of the Grand-Jury.

Gentlemen,

I Am perswaded it was your Love to the Subject, that disposed you to think so favourably of this discourse, as to desire the Publication of it; and if it may happily contribute any thing
A towards

towards the establishing a due regard to the
Laws of God and Men, and a just value for our
excellent Constitution both in Church and State,
it will thereby best answer the end of your Re-
quest, and the design proposed by

Your most Oblig'd

Humble Servant

HENRY DOWNES

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A N
A S S I Z E - S E R M O N

Preach'd At
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I Tim. I. 8.

The Law is Good, if a Man use it lawfully.

THE Apostle St Paul having constituted *Timothy* Bishop of *Ephesus*, begins this his first Epistle to him with a declaration of the Authority by which he acted, and first opens his Commis-^{Verf. 1.} sion, before he proceeds to those Injunctions which were the proper execution of it: After this, as a Spiritual Father, commending *Timothy* to the Grace of^{Verf. 2.} God, whom he stiles his *own Son in the Faith*, because he had been the happy Instrument of his Conversion, he goes on to instruct him in the discharge of his high^{Verf. 3.} Office, and particularly cautions him (as he before had done) against a set of Men, (whether Gnosticks^{Verf. 4.} or others) who it seems were attempting to graft upon Christianity such *Fables and endless Genealogies* as could have no better effect, than to *minister questions, rather than Godly edifying which is in Faith*: In opposition therefore to these, the Apostle declares what^{Verf. 5.} is the true end and design of the Evangelical Commandment, namely *Charity, out of a pure heart, and of a good Conscience, and Faith unfeigned, from which,*^{Verf. 6.} faith he, *some having swerv'd, have turn'd aside unto*

verf. 7.

vain jangling, intimating that when once men depart from these substantial dutys, and let goe Faith and Charity, purity of Heart and a good Conscience, they commonly take up with meer shadows, and busy themselves in endless disputations about things that profit not. However these men (probably to make themselves the more popular) affected to appear great Zealots for the Law, (that is, the Moral Law, as is evident from those Instances of the breaches of it in the verses immediately following my Text) tho' they were perfect strangers to its meaning, and yet more so to its power, *desiring to be teachers of the Law, understanding neither what they say, nor whereof they affirm.*

Whereupon the Apostle does not here, or any where else, goe about to make void the Moral Law, but insinuates, that they were the truest Friends to the Law who best observ'd the precepts of it, allowing as in the Text that *the Law is Good, if a man use it lawfully.* In which words there is

First a Truth asserted, the Law is Good.

Secondly a Condition annexed, If a man use it lawfully.

In discoursing upon the former, I shall at this time and on this occasion consider

First the Necessity and usefulness of the Laws of God.

Secondly the Necessity and usefulness of the Laws of Men.

Thirdly the Excellency of our own Laws, or the Happiness of our national Establishment and Consti-

Constitution: with reference to which I shall proceed

Fourthly to consider the Condition annext; and Lastly draw some Inferences from the whole, and so conclude.

And First of the necessity and usefulness of the Laws of God. The necessity of Laws ariseth from our Ignorance of, and indisposition to do what is Good; for as the Precepts of Laws serve to point out to us what is the Good and the right way, so their Sanctions, that is, the rewards and punishments annext, oblige us by the powerful springs of hope and fear to observe and follow it.

Had we a perfect knowledge of our Duty, and no aversion to the practice of it, there would be no need of Law to instruct, or to perswade us; in this case more especially, if we had no *Law, we should be a Law unto our selves*: but forasmuch as we have Propensions towards Evil, as well as Good, and according to the Apostle the *Flesh lusteth against the Spirit, and the Spirit against the Flesh, and these are contrary the one to the other*; it was necessary that he who knew our frame should insert such Laws, as might rightly determine our choice amidst such different Inclinations, and direct, and excite us *to walk in the way we should go*.

Gal. 5. 17.

It is not, it cannot be, fit that Man, much less that fallen Man, should be left altogether in the hands of his own Counsel, or be *given over to his own heart's lusts*, or suffer'd without controul to *follow his own imaginations*. Alas! such is the degeneracy of human nature, that taking a view of it from its ruins, and not from

from its original beauty; it might well give occasion to that ill-natured Philosopher to conclude, "That a state of nature is a state of war; and the condition of every man too much like that of *Ishmael*, of whom it is said, *his hand will be against every man, and every man's hand against him.*"

Gen. 16.
12.

Among the many things that are the objects of choice some are naturally good, and others naturally evil, that is, some contribute to the Perfection and happiness of our nature, and others to the corruption and misery of it; the pursuit of the former is Moral Good, the pursuit of the latter is Moral Evil: and the Law of nature directs us in the prosecution of the one, and in the avoidance of the other; a Law aiming at the perfection of our nature, and promoting our own happiness, and the happiness of those who are of the same kind with us.

This Law is written originally in every man's heart; that is, there are, as it were, interwoven in his Constitution such Principles, as incline him to consult his own true Good, and the good of his Fellow-Creatures in which his own is involv'd. As a Rational and Sociable Creature he may, in a multitude of cases, plainly perceive what is advantageous, or injurious to himself or others; and the Laws of self-Preservation, and a regular self-love on one side, and Justice and Honour, Compassion and Charity on the other, oblige him to follow that which is Good, both towards himself and towards all Men: and the pleasure arising from good actions, and the shame and fear arising from bad, and the many present and future conveniences, or inconveniences attending the one, or the other, are properly the natural Sanctions of those Laws, as being reward

more

or punishments consequent in the nature of things upon our observance, or non-observance of them.

But because this Law of nature is a *Light shining in a dark place*, and thro' the corruption of our Understandings, and the perverseness of our Wills, it is not sufficient to *guide our feet into the ways of peace*; it has pleas'd God to *shew thee, O man, what is Good*, and by express declarations of his Will, by the force of reveal'd Religion as well as Natural, by Moses and the Prophets, by Christ and his Apostles, to oblige thee to *doe justly, to love mercy, and to walk humbly with thy God*.

These Laws therefore well deserve the character of *Holy, Just, and Good*; they are in their design, but as so many fences to our happiness, so many Guardian Angels, as it were, *to keep the way of the Tree of Life*; they are only necessary checks upon the irregular appetites and passions of men, and checks upon them no farther than they are mischievous to themselves or others: so that in this sense we may clearly understand those words of the Apostle, *the Law is not made for a righteous man, but for the lawless, and disobedient, for the ungodly, and for Sinners, for unholy and prophane*, the Law being most properly said to be made for him, upon whom it is the greatest restraint, or who needs it most.

Rom. 7.
13.

1 Tim.
1. 9.

Forasmuch then as the Laws of God in their general aim, intend only to curb the exorbitant thoughts, words and works of men, thoughts, words and works, that are prejudicial to the good of man, and the glory of God; and *Sin, which is the transgression of the Law*, is always attended with punishment, and natural is the genuine fruit of Moral Evil; inasmuch that every one will find to be true what God by the Prophet threatned Israel, *that his own Iniquity should correct him*; correct

Jer. 2. 19.

him.

him sometimes with shame and horror, sometimes with pains and aches of body, sometimes with wast of estate, loss of good name, and in the issue with a reprobate mind, nay sometimes with temporal Judgments, and without Repentance with eternal damnation: certainly that *Law is Good*, whose end is to guard us against these evils, and by the *corde of a man*, by love to our selves, to our own ease, peace, and safety, to draw us into the ways of Righteousness and Salvation.

By all which we may discern the necessity and usefulness of the Laws of God, and on these accounts we may pronounce of them, what God upon a review pronounc'd of all his works, *Behold they are very Good.*

Gen. i.
31.

But by what I have said concerning the Laws of God, and their directive and coercive power, it will perhaps be thought that there is no need of any other. I shall therefore proceed to consider

Secondly the Necessity and usefulness of the Laws of Men.

And First the Laws of Men are necessary to enforce the Laws of God.

Secondly to determine, and secure every man's Property. And

Thirdly to encourage, or discourage, what may be advantageous, or disadvantageous, to the particular circumstances of any people.

First the Laws of men are necessary to enforce the Laws of God. Indeed when we consider the Authority of the Almighty and All-wise Lawgiver, whose Laws are the Result of infinite Wisdom, and guarded about that

with infinite Power, we may well cry out *what is man*, that he should be more regarded than the Sovereign Lord of Heaven and Earth, or be obey'd and fear'd where God is not? Or if we consider the present and future rewards, or punishments, attending, or following our obedience, or disobedience to the Laws of God, especially those powerful Sanctions, eternal Life and eternal Death, one might well think nothing should be able to add to their force, nothing need be added to their force, to make men *stand in awe and not sin*. *Eternal Life which is the Gift of God thro' Jesus Christ our Lord*, is in its self the most desirable blessing, because most commensurate to the capacitys of our nature, and to every good Christian's desire, who has *hopes full of Immortality*: and Eternal Death, in the Gospel sense of it (which is a life in eternal misery) is justly to be esteem'd *the King of Terrors*: yet still, forasmuch as wicked men chuse to *walk by sight, and not by Faith*, and present and sensible things are the chief subject of their thoughts, their desires, their fears, and their hopes; forasmuch as Sinners in general (like what we read of the two Elders in the History of Susanna) *pervert their own minds and turn away their eyes, that they may not look unto Heaven, nor remember just Judgments*; it is very fit that their eyes should be awaken'd on this side Hell by the fear of men, and that bodily pain and present suffering should keep them in awe, who have hardn'd their hearts against what is Spiritual and Eternal.

And this makes Human Laws necessary, which oblige those to be subject *for wrath*, that will not be so *for conscience sake*, and on that account the Magistrate beareth not the sword in vain, for he is the Minister

Rom. 13.

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Rom. 13. *of God, a Revenger to execute wrath upon him that doth evil.*
4

Thus it is in the power of the Magistrate, and therefore it is his great duty to support the Laws of God and to enliven them with fresh vigour, to be the Guardian of his Honour, to maintain and encourage Religion, and to punish the breaches of those Laws, which relate more immediately to God himself, as well as those that concern our selves, or our dealings with one another; the great end and design of Human Government being this, *that we may lead quiet and peaceable lives in all Godlyness and Honesty.*

1 Tim.
2. 2.

Secondly the Laws of Men are necessary and useful to secure every man's Property. The Natural and Moral Laws of Justice and Equity oblige us to *give to every man his due*: but Human Laws do not leave men thus at large, but particularly specify in many Instances what shall be accounted so, what one may demand and another shall perform. Private Rights would often be very precarious, were they not settled by Publick Authority, and partiality would too much prevail, were men left altogether to judge for themselves.

The Foundation of Property I conceive to be, a mutual agreement among associated bodies of Men, determining what each man may fairly call, and enjoy as his own: for were Houses and Lands and Goods and Chattels laid open without any Politick Inclosure, we should in many cases not know what was our Right, much less be able to preserve it: but when the Law has determined what each man may call his own, and guards him against those that would make

make Incroachments upon him, in this case every Individual is the more easie and safe in his Possessions; and thereby encourag'd to labour, whilst he sees that his Labour is not likely to be in vain: by this means he does not fear, that *what he sows another shall reap, or that whilst he planteth a Vineyard another shall eat the fruit thereof*, but under the Protection of the Law he quietly enjoys *the benefit of all his Labour, which he taketh under the Sun*.

How endless would be the contentions if there were no publick rules to fix and guard private Property, and no Human Laws to restrain the Ambition of some, and the Covetousness of others, and in general to curb those Passions, that are for engrossing more than they ought to themselves? I may safely say, if there was no Property, there would be very little Honesty, less Industry, and no comfortable Society in the World.

Thirdly the Laws of Men are necessary and usefull to encourage, or discourage what may be advantageous, or disadvantageous to the particular circumstances of any People. Human Laws direct the management of the severall capacitys and powers of particular persons to the support and welfare of the whole Society govern'd by them.

'Tis true, Diligence and Industry in general, are strictly bound upon us by the Laws of God, but in what way, or manner, in what particular trades, or Callings, this Diligence and Industry is to be us'd, and under what restrictions, limitations, or encouragements, is matter for the determination of the Laws of Men: thus for instance, they prescribe what Manu-

factures to improve at home, what commerce to establish abroad; how to manage to the best the Product of our own Land, and how to obtain from other Nations what is wanting in our own, and by a well regulated traffick to communicate blessings with almost every Nation under Heaven.

1 Pet. 2.
14.

If there were no Human Laws to the contrary, Idleness and Fraud would much more abound amongst us; but these are a spur to industry and a check to fraudulent dealing, whilst they are made use of as they ought, for the *Punishment of evil doers*, and for the *Praise of them that do well*. Nay tho' that great Duty of Charity is taught us by meer Instinct, and mercy and pity to the poor and miserable are strongly pleaded for by the Voice of Nature, as well as of Grace; yet if the Laws of Men did not oblige some to take care of their Poor, I fear they would be deaf to the soundings of their own Bowels; and tho' *precept be upon precept* and *line upon line*, nay tho' they themselves subsist upon Mercy, would yet of themselves be backward to shew Mercy.

Since then Human Laws may be said to apply the general Laws of God to the particular exigencies and circumstances of any Society, obliging every Member in it to act in his particular Station with that Diligence, Honesty and Charity, as becomes a sociable Creature; therefore also it may be said of these Laws, thus qualified, that they are *very Good*. And from this general view of the usefullness of Human Laws, it may not be improper before this Auditory, at this time particularly to descend

Thirdly

Thirdly to the Consideration of the Goodness of our own, or the excellency of that Constitution and National Establishment under which we live. And

First with regard to our Religious Rights, how many Laws are there whose end and design is the security of God's Honour amongst us? Profaneness and Immorality and the several Species of them are discourag'd by Law, (and oh! that they were as much discourag'd by Example too) as becometh a Christian Magistracy and a Christian People. The publick exercise of God's Worship is taken care of in our *Statute*, as well as in the *Divine* Law, and that both as to the Place, the Manner, the Time and Persons concern'd in the publick Administration of it; and lasting Provision is made for the maintenance of those that wait at the Altar, that they may not depend for their allowance on the humours of the People, nor be left to their Charity altogether, who might be too apt to despise those whom they held in such vile Subjection: nay (out of Gratitude be it spoken) in Conformity to the Laws of God, the Tribe of Levi, the Clergy of this Land are distinguished with favours: not only our manifold dues are ascertain'd, and convey'd to us by as firm Laws, as those which settle other men's Estates; but also the Highest Order amongst us is dignified with Temporal Honour, as a mark of respect due to their Character and Office, which in a Christian Nation justly renders them *worthy of double Honour*.

We may, nay we ought to remember that our Church is further encourag'd and establish'd by Law, and

and as it is a great blessing to have *Kings its nursing Fathers and Queens its nursing Mothers*, so it is enacted that no one shall sit on the Throne, nor any body be in any considerable Office of Trust or Profit under the Civil Government, but what owns himself a Member of the Ecclesiastical by the most solemn act of our most Holy Religion. Such a security of such a *Protestant* Succession both of Prince and Magistracy should be very valuable in our eyes, who have so lately seen and felt the dangers and miseries we were in from a *Popish* Administration.

And if our Lawgivers have thought fit to grant to tender Consciences the liberty of serving God in their own way; yet, on the one hand, let all those who have receiv'd this favour, remember always from whose hands they receiv'd it, namely from theirs who were Members of the establish'd Church, and let them at all times shew themselves therewith content, and never make the least Incroachments upon *Their* Rights, who have been thus indulgent unto them: And on the other, let not this make any of us who are of the establish'd Church, forget that the National encouragement is still appropriated to us, nor overlook the many and valuable Privileges we enjoy under the Protection of the State, which are best preserv'd by a due sense of and thankfulness for the same, and such a faithfull discharge of our respective duties, as will abundantly shew that the Church is as serviceable to the State, as the State to the Church; that so their mutual Interests by mutual good Offices may be continued down from Generation to Generation.

Secondly

Secondly our Civil Rights are guarded on every side by Laws, which are most likely to be for the good of the Subject; because they are first form'd by the Representatives of the People, who will be less dispos'd to lay any unnecessary Burthen upon them which they may *not be able to bear*, since they themselves also must partake of the same.

But, as they that sit at the Helm, would be if most expos'd in most danger, as being most envied and most fear'd, and the Life of a Sovereign is and must be by reason of his, or her Authority, of amazing consequence, Good Princes being, as the People said of David, *worth ten thousand of us*; so there is strong ^{1 Sam. 18. 3.} provision made in the first place for the security of their Persons, and the maintenance of their Honour, and the Law is *as a Wall unto them on their right hand and on their Left*. Nay forasmuch as in this sense if the Head *suffers all the Members suffer with it*, therefore the Dignity and safety of the Throne have stronger Guards by Law, than the Lyons on each side of *Solomon's* could represent in figure, or those Men of War can exhibit to the Life which ordinarily stand round about it.

Nor is the Liberty and Property of the People less carefully provided for by the same means, a Liberty not of acting absolutely as they please, for that is a Liberty that is not indulg'd their Prince, a Liberty, which a good Prince would not desire, and a bad Prince should not be trusted with, but a Liberty of acting securely, and without disturbance within the compass of the Law: for true Liberty is not properly a power of doing what we will, but of doing with

with ease, safety and pleasure what we should will, what becomes us as rational and sociable Creatures to do.

Judg. 16. *every man did that which was Right in his own eyes,*
 Deut. 12. ^{10.} A Liberty which God Almighty expressly forbade his
 8. own People: for in truth such a Freedom is not properly Liberty, but Licentiousness; a Freedom which they think least of who contend most for just Liberty, and who know the worth of the Law too well, to desire that the Subject should be lawless, or any Person whatsoever (unless by way of Punishment) without Law.

Again the Property of the Subject is fixt and guarded by many determinate Laws, that shew the tendernefs of our Governours for every private Person's good. No man is subject to the Arbitrary Will of another, nor does he hold as a Tenant at will what is *his* by verbal Bargain or by manual conveyance, or by inheritance, but the meanest Person amongst us has his remedy against the incroachments of the Greatest: the men of Wealth and Power have no Protection by Law against the just complaints of the Poor, but *the Law is open; they may implead one another*: and the Law considers not who is High, or who is Low, but who has Right: so that upon the whole I may take up those words of Moses, *what nation is there so great that hath Statutes and Judgments so righteous, as all this Law which I set before you this day.*

Deut. 4.
8.

But, be the Law ever so good, it is but a dead Letter without a due execution: I shall proceed therefore

fore in the next place to consider the condition in the Text, *If a Man use it lawfully: the Law is Good, if a man use it lawfully.* The lawful use of any Law is the using it so as may best attain the End of that Law, that it may have its design'd Effect, and answer the Purpose for which it was made.

And here I cannot but admire the wise Provision that is made by our Constitution for the Execution of these its most excellent Laws: The Supreme Governour, was *she* to attend upon the Administration of Justice daily *from the rising up of the Sun unto the going down thereof*, could not in her own Person hear, determine and give to every man what is Right amidst so great a People; or if *she* could, her distant subjects would find great difficulty in having recourse to the throne upon every occasion: Therefore that all may enjoy the benefit of the Law, which was intended for the benefit of all, Justice is in a manner brought home to every man's Door, and Subordinate Judges are appointed as constant Preservers of the Peace from the one corner of the Land unto the other. From whom as Guardians of their Rights the People in many cases may have immediate Redress of their wrongs, or be secur'd of Right by a more Publick Administration of *Justice* and Judgment.

For twice in the year Justice makes as it were a solemn Procession thro' the Land, and invites all the aggriev'd to come unto *Her* that they may have help, and condemns, or acquits all those whom the Inferior Judges above mentioned had reserv'd to this more open and solemn Judicature. This branch of our Constitution is very agreeable to what *Jethro* *Moses's*

Exod. 18.
21, 22,
24.

Moses's Father in Law advis'd and Moses approv'd, *Thou shalt provide, saith he, out of all the People able men, such as fear God, Men of Truth, hating covetousness, and place such over them, and let them judge the people at all seasons, and it shall be that every great matter they shall bring unto thee; but every small matter they shall judge; so shall it be easier for thy self, and they shall bear the burthen with thee:* It is thus the Justices of the Peace refer the weightier matters to the Determination of the Judges, and prepare the way at the Sessions for a more decisive Judgment at the Affizes.

A Judgment, that prevents a thousand mischiefs, where it punishes one: The Solemnity of it strikes a dread into many others: besides the Prisoners at the Bar, and a Malefactor now and then executed according to Law makes many others afraid to offend; infomuch that they that are wickedly dispos'd, less dare thereupon to commit *Iniquity to be punish'd by the Judges.*

I am perswaded that through the Honourable and awful Presence of you, *My Lords*, on these occasions, our Houses are more safe from fear all the year after, and there is at all times far less *complaining in our Streets.* It is not all the benefit we enjoy from these solemn Assemblies, that we see and hear of some few Grievances remov'd, or that here and there an honest man is reliev'd by Law, and the *Spoil of the wicked pluck'd out of his Teeth.* These visible advantages we justly take pleasure to behold; but the Invisible are infinite: for God only knows how many are kept from doing, or suffering injuries at all thro' the sense and power of the Law, thro' a sense that the Law

Law will defend those whom any one dares to oppress, and that the Wickedness of the *Wicked shall fall only on his own pate*. So that upon the whole we may perceive with great satisfaction how from these Fountains of Justice, *Judgment runs down amongst us like waters, and Righteousness as a mighty stream: the Mountains, they bring peace, and the little Hills Righteousness unto the People.* Amos 5.
24.
Ps. 72. 3.

But, on the other hand, when the Law shall be so interpreted as to be made as it were a *Felo de se*; when a Prince, instead of dispensing the Laws in Equity, shall dispense with them at pleasure; Or shall appoint Judges to execute Justice, whose very Commission is an act of Injustice, and breach of the Law; Or shall put Magistrates into Office not that they may do justly, but that Satan-like they may turn unjust Accusers of their Brethren, *and lay to their charge things that they know not*, Magistrates that shall make the very Law a Party thro' a partial administration of it; Such perverting of Justice, and under colour of Law robbing men of their Life, Goods, Good Name, or the like, is the worst use that can be made of it; this is using Law unlawfully, and making it an Instrument of the greatest Oppression.

And such *Oppression* is enough, as *Solomon* said, to *make a Wise man mad*: a Man that knows and considers the true value of Liberty, and the just and proper use of power, the obligations of those that are in Authority, and the natural and civil Rights of those that are under it, cannot bear with any Patience, they should be made a prey to their Fellow-Creatures, or be devoured by those who are of the same Kind with them. Such a view of things gave *Solomon* a fresh oc-
C 2 casion

caſion to pronounce Vanity on things here below, Ecclef. IV. 1, 2, 3. *I return'd, ſaid he, and conſider'd all the Oppreſſions that are done under the Sun, and behold the Tears of ſuch as were oppreſſed and they had no Comforter; and on the ſide of their Oppreſſors there was power but they had no Comforter: wherefore I praiſ'd the Dead which are already Dead, more than the living which are yet alive; yea better is he than both they, which hath not yet been, who hath not ſeen the evil work that is done under the Sun.*

I might mention, if I had time, how the Law may be uſ'd unlawfully in a more private reſpect, as when a Man goes to Law out of meer Vexation and Revenge, or with a deſign and purpoſe of doing wrong without any ſhadow of Right on his ſide, but only in hopes of wearying another out of his right, and that not by the preference of his cauſe but prevalency of his Wealth. This is in the worſe ſenſe *to oppreſs the Poor becauſe he is Poor*; and ſuch over-bearing doings are intolerable, and the Doer of them in the eye of the Goſpel if not of the Law *is a thief and a Robber.*

However, tho' in theſe and many ſuch like caſes, the Law may thro' abuſe become a great Grievance, (as the beſt things may be corrupted and thereby commence the worſt) yet the juſt and regular uſe of it is and will be always a Bleſſing. And Happy are we who have ſuch good and wholeſome Laws on the one hand, and on the other ſuch a Prince, who has no other thoughts but to govern according to them, and no other deſire, than *that her Officers may be Peace and her Exactors Righteouſneſs; that*
Violence

Violence may no more be hear'd in our Land, Wasting nor destruction within our borders; but that our Walls may be salvation and our Gates Praise.

I come now in the last place to draw some Inferences from the whole and so conclude. And

First from the Necessity and usefulness of the Laws of God, I infer, that we ought not to murmur at those Restraints, which we may perceive are laid only upon our Dispositions to hurt. Laws oblige us indeed to serve, but then it is to serve our proper Master; and are Preservatives from a worse slavery, Namely that to Satan, and our own Lusts: If they are chains, they are such as are marks of Honour not of servitude, according to that of *Solomon, They shall be as an Ornament of Grace unto thy Head, and Chains about thy neck.* ^{Prov. I. 2.} This therefore should dispose us rather to adore the Goodness of God, which is so visible in the Goodness of his Laws, *Commandments which he hath commanded us for our Good:* and since they are in their nature and design thus Good, we should strive to render them in the best manner so to us, by the most regular use, that is, by a chearful Obedience unto them.

Secondly, are Human Laws necessary and useful to enforce the Laws of God, to determine and secure every man's Property, and to encourage, or discourage, what may be advantageous, or disadvantageous to the particular circumstances of any People; Are the Laws of Men capable of being serviceable to these good purposes? Therefore Lawgivers should endeavour

deavour always to make them thus serviceable; this should be their design and their aim this. And as God has ordained Magistracy for these ends, therefore I infer with the Apostle that we ought to *submit our selves to every Ordinance of man for the Lord's sake.*

1 Pet. 2.
13.

There are many things in the Government of every Society which Almighty God has left to the Determination of each particular Society; and where such determinations are not contrary to the Laws of God (which ought to be their general Rule) *we must needs be subject not only for wrath, but also for Conscience sake.*

Rom. 13
5.

Thirdly, from the Excellency of our own Laws and the Happiness of our National Establishment and Constitution, surely every one that hears me this day will infer with me, that it is our great Duty to prize and value it, and to think nothing too much to do, or suffer in the defence thereof against all Invaders whatsoever.

Our Laws are the establish'd fence of our Religion, Liberties and Properties, the Greatest blessings on this side Heaven, and our Blood and Treasure can never be better expended than in Guarding these Laws, which are in so many respects a Guard to us.

Almighty God, who is *a God of Order and not of confusion*, without all doubt requires that there should be Government in the world: but he has not prescribed one particular form to every Nation, (whatsoever some may at this time suggest who would rob us of our own) but the Laws of each Nation properly determine the Form of its Government, and

from

from them Governours receive particular Rules concerning the Exercise of their Power, and the Govern'd particular Rules concerning the Exercise of their Subjection; and consequently we may from hence truly judge who are the best Princes, the best Patriots and the best Subjects, Namely they that rule, and they that advise and counsel, and they that obey according to Law: Provided always that the Law be Good; for otherwise, according to the answer of St Peter and the other Apostles to the High Priest, *We ought to obey God rather than Men.*

To conclude therefore, To the Preservation of our Excellent Laws, which are the Grand Security of the Publick Good, let all Parties at all times resolve to Sacrifice their private Piques and Resentments; and not by any unreasonable suspicions of one another weaken the endeavours of each other for the preservation of the whole: More especially, since there is a *Pretender* that is always ready to improve our Differences to our Destruction, Who has an Instruction that is too well vers'd in all the Arts of doing mischief, Who by his * Letter on the occasion of the late Invasion has given sufficient intimation to the world of his desire and design of subverting these Nations again to the See of *Rome*; and we may reasonably believe that he has some secret hopes of finding his own account also in our subversion.

* The French King's letter to the Pope.

But since it has pleas'd God in Mercy to deliver us from the late horrid attempt of this *Pretender*, supported by a *French* power and animated with *French* designs; let us for the future avoid all those Distinctions,

Distinctions, as divide, weaken and expose us; and cherish such an hearty union among our selves, and make such an Industrious improvement of all the advantages that may be reap'd from the late *Union* with a Wise and Valiant People, as may discourage all future attempts, or render them as Abortive, as (blessed be God) the last was.

Methinks the sense of common Danger should always awaken us all into a joynt regard for our publick safety, and that upon the same Principle the common Good of that Happy Government whereof we are Members.

Nay forasmuch as it has pleas'd God happily to furnish us at this time with another sort of Argument, and by the late *Glorious* Victory has again shewn towards us gracious designs of *Good and not of Evil*, Let us follow the conduct of our Merciful God, and make such a good use at home of our successes abroad, as may produce in the issue that only good and desirable fruit of all War, an Honourable and Lasting Peace.

And Lastly, since all abuse in the Execution of the Law is so grievous, let every one according to his Power, in his publick and in his private capacity, endeavour to prevent it, that our Good Laws may not by any means become Instruments of Evil; but that thro' a regular and lawful use of them, all of us, from the Highest to the Lowest, may be able from our own sense and experience to say with assurance in the words of our Apostle, *We know that the Law is Good.*



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